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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,499	09/14/2000	Rachel K. E. Bellamy	YOR9-2000-0332US1	2266

7590 03/10/2004

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EXAMINER
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DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 03/10/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/662,499

Applicant(s)

BELLAMY ET AL.

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12/15/2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

DETAILED ACTION

1. This is in response to the Amendment filed on 12/15/2003 (paper # 6). Claims 1-20 are presented for examination.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Gudjonsson et al., US pat. No.6,564,261.

As to claim 1, Gudjonsson discloses a method for representing a user within an online environment comprising the steps of:

defining a plurality of environmental parameters (using cluster 1 of fig.1 to define an address space and access to its functionality through some well known protocol) for controlling user interaction and defining a plurality of user representation parameters of

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user data (external user 7 fig.1 's data or services) within the environment (virtual private network) (see abstract, figs.1, 2, col.7 line 35 to col.8 line 65).

capturing user data from the user, building an abstract graphical display of the environment and building a user representation within the abstract graphical display incorporating the user data (mapping a local user to a user server, see fig.11, col.9 lines 8-61 and col.15 line 13 to col.16 line 67).

As to claims 2 and 3, Gudjonsson discloses determining an environmental structure and governing user interaction within the environment according to the user parameters (user's data and services), displaying an abstract graphical cue of a first user (user A of fig.3) in the environment structure, wherein the abstract graphical cue moves through the environment according to a second user (user B fig.3) parameter to provide a second abstract graphical cue and the environmental structure which includes a queue of users, a chat room, a conference room, a news group, an online help desk, and a business interface (see abstract, figs. 3-5, col.9 line 8 to col.10 line 56).

As to claims 4 and 5, Gudjonsson discloses defining the user representation based on a user profile and the user data is captured from a user's device registered with a social proxy providing service (using the inter-cluster service that acts as a proxy between services in different clusters, see col.11 line 20 to col.12 line 54 and col.16 lines 7-47).

As to claims 6 and 7, Gudjonsson discloses that the user data is captured from a user's activity within the online environment wherein the user data is abstracted to provide the user representation and updated periodically (keeping the contact list updated in the database, see fig.22, col.27 line 36 to col.28 line 64).

As to claims 8 and 9, Gudjonsson discloses that the user navigates the abstract graphical display by selecting an object to reveal information about the object and the object is an element represented in the abstract graphical display comprising associated data (see figs.16 and 18, col.26 line 30 to col.27 line 27 and col.28 lines 9-63).

As to claims 10 and 11, Gudjonsson discloses the information is one of a hierarchical relationship, content of a compound data object, a zoomed view, and user information (user data) and defining the social proxy for a virtual environment and facilitating user interaction (using the inter-cluster service that acts as a proxy between services in different clusters, see col.11 line 20 to col.12 line 54); defining a user proxy for a user, the user proxy having updatable variables and displaying the user proxy within abstract graphical display of the social proxy and updating user proxy variables periodically (keeping the contact list updated in the database, see fig.22, col.27 line 36 to col.28 line 64).

As to claims 12 and 13, Gudjonsson discloses the social proxy (using a generic proxy to provide different services from various providers) is defined by a provider, a proxy for a

provider and displaying the provider within the social proxy (see fig.13, col.17 line 18 to col.18 line 62).

As to claims 14 and 15, Gudjonsson discloses that the provider is the user and displaying a link to a second social proxy (55 fi.g.13) (see fig.13, col.17 line 18 to col.18 line 62 and col.22 lines 3-64).

As to claims 16 and 17, Gudjonsson discloses that the social proxy is one of a plurality of social proxies within a hierarchical system of proxies and used interactively by the user with an application, the application is an extension of the social proxy (see fig.13, col.17 line 18 to col.18 line 62 and col.22 lines 3-64).

As to claim 18, Gudjonsson discloses limiting data displayed based on a user's access credentials (see col.27 line 36 to col.28 line 63 and col.34 lines 8-55).

As to claim 19, Gudjonsson discloses a computer-based medium having stored programs readable by a computer for causing the computer to execute method steps for facilitating the presentation of an environment in graphical form comprising a processor for receiving information from a plurality of users (users 7 of fig.1 define an address space and access to its functionality through some well known protocol) (see abstract, figs.1, 2, 3, col.7 line 35 to col.8 line 65) and presenting said information in a graphical form to the plurality of users, wherein the plurality of users communicate user data to

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the processor for incorporation in the graphical environment as user proxies (using the inter-cluster service that acts as a proxy between services in different clusters, see col.11 line 20 to col.12 line 54 and col.15 line 13 to col.16 line 67)

As to claim 20, Gudjonsson discloses that the environment can be one of a physical environment, a virtual environment, and a combined physical and virtual environment (see col.1 line 60 to col.2 line 29 and col.7 line 35 to col.8 line 65).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Claims 1-20 are rejected.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on (703) 305-4792. The fax phone number for this group is (703) 872-9306.

*A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response*

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*will cause the application to become abandoned (35 U. S C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.



**FRANTZ B. JEAN**  
**PRIMARY EXAMINER**

Khanh Dinh  
Patent Examiner  
Art Unit 2155  
3/4/2004